

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

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|----------------------------|---|------------------|
| ZENIMAX MEDIA INC, et al., | § | |
| | § | |
| Plaintiffs, | § | |
| | § | CIVIL ACTION NO. |
| v. | § | 3:14-CV-01849-P |
| | § | |
| OCULUS VR INC, et al., | § | |
| | § | |
| Defendants. | § | |

AMENDED SCHEDULING ORDER
TRIAL DATE: October 17, 2016 at 9:00 AM
PRETRIAL CONFERENCE DATE: October 7, 2016 at 10:00 AM

The Court has considered the Parties' motion to amend scheduling order, filed October 5, 2015. The Court hereby GRANTS the motion and sets the following schedule for disposition of this case:

- 1) The **JURY TRIAL** is scheduled on this Court's two-week docket beginning **October 17, 2016 at 9:00 AM**.
- 2) A Pretrial Conference is scheduled for **October 7, 2016 at 10:00 AM**.
- 3) Counsel shall comply with Fed. R. Civ. P. 26(a)(1) by **November 06, 2015**.
- 4) Motions for leave to join other parties shall be filed by **October 05, 2015**.
- 5) Motions for leave to amend pleadings shall be filed by **November 02, 2015**.
- 6) The party with the burden of proof on a claim shall file a designation of expert witnesses and comply with Fed. R. Civ. P. 26(a)(2) by **March 15, 2015**.
- 7) Rebuttal designation of expert witnesses and compliance with Fed. R. Civ. P. 26(a)(2) shall be made by **April 29, 2016**.
- 8) All discovery procedures shall be initiated in time to complete discovery by **June 13, 2016**.
- 9) Counsel shall confer and file a joint report setting forth the status of settlement negotiations by **June 29, 2016**.

- 10) All dispositive motions, including motions for summary judgment on all or some of the claims, Daubert motions, and motions to exclude or objections to expert witnesses, shall be filed by **July 13, 2016**.
- 11) Counsel shall file by **October 03, 2016**, a **Joint Pretrial Order** containing the information required by Local Rule 16.4 plus the following:
 - (a) A list of witnesses who may be called by each party in its case in chief. Each such witness list shall contain a narrative summary of the testimony to be elicited from each witness, shall state whether the witness has been deposed, and whether the witness's testimony at trial is "probable," "possible," "expert" or "record custodian." A copy of this list must be furnished to the Court Reporter prior to trial;
 - (b) Each party's requested jury instructions (annotated) and interrogatories;
 - (c) The status of settlement negotiations as of the date of the Pretrial Order; and
 - (d) Trial briefs may be filed with the Pretrial Order, but are not required unless specifically requested by the Court.

The Joint Pretrial Order will control all subsequent proceedings in the case.

- 12) **Exhibits, Exhibit Lists, Witness Lists, Deposition Designations.** The Parties shall comply with Local Rule 26.2 by **October 05, 2016**. This includes providing your trial exhibits on CD to the Court's chambers.

PLEASE NOTE: All exhibits shall be on CD. Label your CD with the style of the case, the case number, and the Party's name. The beginning of your CD shall include an Exhibit Index page. You may use standard plaintiff/defendant exhibit labels. Please deliver one CD to Judge Solis's chambers.

The Court will not accept original exhibits prior to trial. Original exhibits are retained by counsel and are admitted into the official record during trial. It is counsel's duty to care for the original exhibits before and after trial. At the end of trial, the Court will return the original exhibits to counsel and counsel will sign a Receipt of Exhibits. The Court will file the Receipt of Exhibits with the District Clerk. It is counsel's responsibility to forward any exhibits to the Court of Appeals should the case be appealed. **All questions regarding exhibits are to be directed to the Court Reporter at (214) 753-2349.**

- 13) Objections to witnesses (except expert witnesses), exhibits, and deposition designations shall be filed by **October 11, 2016**.

Counsel must confer about exhibits and make reasonable efforts to agree upon admissibility.

- 14) Motions in limine and requested voir dire questions shall be filed by **October 11, 2016**.
- 15) Objections to the proposed jury instructions shall be filed by **October 11, 2016**.
- 16) **Electronic Courtroom.** Judge Solis's courtroom is equipped with computer monitors at the Judge's bench, counsel tables, the jury box, and the witness chair. These monitors display an exhibit's image at all locations simultaneously. During trial, counsel may highlight portions of an exhibit, which will be displayed on the monitors. Counsel contemplating use of such equipment during trial should schedule training prior to the trial setting for themselves and/or any assistant(s) who will be operating it. Training is available upon request from the Court Reporter at 214/753-2349. Each training session lasts between thirty minutes and one hour.

Any requests for extensions of these deadlines will be viewed with disfavor and will be denied, absent a showing of good cause.

At the pretrial conference, the Court will determine the order in which the cases on this two-week docket will be tried. Counsel and the Parties shall be ready for trial on 48 hours notice at any time during this two-week period.

SO ORDERED, this 7th day of October, 2015.



JORGE A. SOLIS
UNITED STATES DISTRICT JUDGE